



Lexington's

Proposed Stormwater Management Regulations Chapter 181, Article VI





Why are the Stormwater Regulations Necessary?

The Clean Water Act Requires It!

- **MS4 General Permit** required the Town to adopt a Stormwater Bylaw; these proposed regulations are required to implement that Bylaw.

It makes sense!

- **Municipal Management of Stormwater** helps protect our municipal drainage system for construction sediment.



Regulations Development Process

Stormwater Bylaw
2008

- Town Adopts Stormwater Bylaw
- Begins development of Regulations to support the Bylaw

First Draft of
Stormwater
Regulations
2009

- Outreach to Developers, Conservation Commission, Town Personnel and Consulting Engineers
- Updated regulations for improved clarity

Stormwater
Regulations
2017

- If accepted, Stormwater Regulations will have an effective date of January 1, 2017



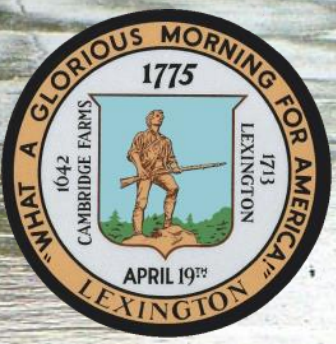
Implementation of the Bylaw

Selectmen are the Stormwater Authority

- Authority to adopt Stormwater Regulations

DPW Engineering is the Stormwater Agency

- Day to day administration
- Review and act on Stormwater Management Permit Applications



Applicability

Stormwater Regulations Apply if Development Activity:

- Disturbs more than one acre of land or; (Permit)
- Proposes a new dwelling on a vacant lot or involves a teardown; or
- Requires a Special Permit, a Special Permit with Site Plan Review, or Approval under Subdivision Control Law

Note:

- Applicability is consistent with Stormwater Bylaw
- Typical Residential Homeowner activities are NOT affected



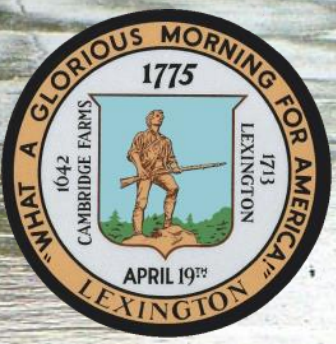
A Scalable Permitting Process

Above
Threshold

Disturbance
 ≥ 1 - acre

Below
Threshold

Meets
Applicability,
<1 acre of
disturbance



Above-Threshold Key Requirements:

Design and Permitting Phase:

- Design drawings in accordance with the standards established in these regulations
- Stormwater Management Plan per the 10 Standards of the Massachusetts Stormwater Handbook
- Submit an Erosion & Sediment Control Plan
- Operations & Maintenance Plan
- Surety Bond for Construction Costs
 - Considered met if a surety bond has been required by other Town Boards or Commissions

Above
Threshold

Disturbance
≥ 1- acre



Above-Threshold Key Requirements (Cont.):

Construction Phase:

- Applicant's Qualified Inspector must inspect the site every 14 days and after storms >0.25 inches
- Stormwater Agency, or their designated representative, may also conduct periodic inspections to ensure compliance
- Applicant must provide As-builts and Certificate of Completion

Above
Threshold

Disturbance
≥ 1- acre

Perpetual Inspection and Maintenance:

- Property Owner's Qualified Inspector must provide an annual inspection of the Stormwater Management Facilities



Below-Threshold Key Requirement:

Erosion & Sediment Control Plan



Below
Threshold

Meets
Applicability,
<1 acre of
disturbance



FAQs

■ Will there be an application fee?

- Application fee of \$0.01 per square foot of disturbance up to \$1,500
- Technical Review and Inspection Fee: \$5,000 initial fee, adjusted based upon actual review fee costs

■ When will it be effective?

- January 1, 2017

■ How will it be communicated?

- Through the website and targeted outreach to the developers and consulting engineering community



FAQs (Cont)

- **How long will it take to get a permit for above threshold project?**
 - Issued permit within 21 days of a complete application submission
- **What if I am already submitting to Conservation Commission?**
 - Projects requiring permits under the Wetland Protection Act are exempt from the Stormwater Bylaw, and therefore are not subject to Stormwater Management Permit
- **What type of enforcement will be done?**
 - See section 181-80C of the Stormwater Regulations



Other Questions?

